

REMARKS

Claims 1-33 were examined in the most recent office action, dated March 22, 2005. By way of the office action, all claims stand rejected over various references. Applicants traverse the rejection for the reasons outlined herein. No claim amendments have been made.

Claim 1 is Allowable.

Applicant respectfully traverses the rejection to Claim 1 under 35 U.S.C. § 102(b) as anticipated by Coyle (U.S. Patent No. 2,650,444); under 35 U.S.C. § 103(a) as obvious over Shepard (U.S. Patent No. 2,986,144) in view of Coyle; and as obvious over Holson (U.S. Patent No. 4,244,762) in view of Coyle. Claim 1 recites, in part, an adherent disposed between a first transparent sheet and a second sheet and across the open end of a pocket, and adapted to selectively adhere the first transparent sheet to the second sheet, and seal the pocket in a liquid tight fashion. None of Coyle, Shepard, or Holson discloses an adherent that seals a pocket in a liquid tight fashion.

While Coyle discloses a display card holder with a front sheet 18 and a back sheet 10 that define a pocket 15, Coyle fails to disclose an adherent disposed across the open end of a pocket. In particular, the front sheet and the back sheet of Coyle are bonded along their top and side edges to form the pocket 15. However, Coyle fails to disclose an adherent along the bottom edge. In fact, Coyle specifically teaches that the bottom edge should NOT include an adherent. “The lower edge portion of sheet 18 is *unsecured* except at its side edges[.]” Coyle, col. 2, ll. 53-55 (emphasis added). Coyle provides no disclosure whatsoever of an adherent disposed across the open end of the pocket 15. While the examiner asserts that Coyle discloses a “relatively permanent adherence between opposed sheets” (see Office Action, page 4), the examiner has not pointed to a specific disclosure in Coyle of an adherent that seals the pocket in a liquid tight fashion. For these reasons, Coyle cannot anticipate claim 1.

Further, neither Shepard nor Holson discloses an adherent disposed across an open end of a pocket. Holson merely discloses a photo album page in which each pocket 32 has three sealed edges and an open edge. See Holson at col. 2, ll. 50-53 (“It will be observed that the stitching lines leave essentially unconnected the upper and lower edges of the assembled

pages []."'). Similarly, Shepard discloses a recipe file in which each pocket has three sealed edges and an open end 20 for insertion and retrieval of the recipe card.

Because none of Coyle, Shepard, or Holson teaches or suggests the noted element, the Office Action fails to establish anticipation or a *prima facie* case of obviousness. "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught, or suggested, by the prior art." MPEP § 2144.03. Accordingly, Claim 1 is allowable over the cited references. Claims 2-20, which depend from Claim 1, are allowable for the same reasons.

Claim 21 is Allowable.

Applicant traverses the rejection to claim 21 as obvious over either of Shepard or Holson in view of Coyle. Claim 21 recites, in part, sealing the open end of a pocket in a liquid tight fashion. As outlined earlier, none of the cited references discloses sealing the open end of a pocket in a liquid tight fashion. The device described in Coyle is not sealed in a liquid tight fashion, because "[t]he lower edge portion of sheet 18 is *unsecured*... [and] defines with [the] opposing outside surface of folded-over portion of sheet 10 the *opening* of the deep pocket." Coyle, col. 2, ll. 53-54 (emphasis added). An unsecured edge defining an opening is not liquid-tight. Again, Shepard and Holson both disclose pockets with open ends that are not liquid tight. Accordingly, claim 21 is allowable. Further claims 22 and 23, which depend from claim 21, are also allowable for the reasons cited above.

Claims 24 and 30 are Allowable.

Applicant traverses the rejection to claim 24 as anticipated by Coyle, and the rejection to claim 24 as obvious over either of Shepard or Holson in view of Coyle. Applicant further traverses the rejection to claim 30 as obvious over either of Shepard or Holson in view of Coyle and in further view of Rappaport (U.S. Patent Application No. 2002/0116854). Claim 24 recites, in part, attaching a first sheet to a second sheet along a liquid tight seal to form an open-ended pocket, with the first end and the second end of the liquid tight seal abutting an adherent. Claim 30 recites, in part, an adhesive disposed on one of the first and second sheets and across an open end of a pocket and abutting the endpoints of the horizontal seams of the

pocket. As outlined earlier, none of Shepard, Holson, and Coyle discloses an adherent or adhesive disposed across an open end of a pocket.

Rappaport also fails to disclose a device having a first end and a second end of a liquid tight seal abutting an adherent or a seam. Rappaport discloses a postcard with opposing sheets that are sealed along three edges 18, 20, and 22 to form a pocket and an adhesive 24 disposed along the fourth side. However, the adhesive 24 is spaced from the ends of the adhesive strips 18 and 20. Accordingly, the adhesive 24 does not abut the ends of the strips 18 and 20, and therefore Rappaport does not disclose an adhesive abutting endpoints of seams or an adherent abutting first and second ends of a liquid tight seal.

Further, Rappaport teaches directly away from the recited structure. Rappaport teaches that a gap is desired between the adhesive 24 and the adhesive strips 18 and 20: "It can be seen that a gap 31 (FIGS. 3 and 4) devoid of adhesive is provided between the adhesive strip 24 and the fold line defined by the perforations 28 so that even if a person inserts a photograph after the liner 26 has been removed it, will not jam by becoming stuck to the adhesive strip 24." Rappaport, ¶ 22. Accordingly, no cited reference teaches or suggests the first end and the second end of the liquid tight seal abutting the adherent, or an adhesive abutting seams, and the rejections to claims 24 and 30 must be withdrawn. Further, dependent claims 25-29 and 31-33 are also allowable for the reasons provided above.

CONCLUSION

In view of the foregoing remarks, it is submitted that the claims as now appearing in this application are in form for allowance. A favorable action on the part of the examiner is respectfully solicited. If, in the opinion of the examiner, a telephone conference would expedite prosecution of the subject application, the examiner is invited to call the undersigned attorney.

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30565/38931/US.

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Respectfully submitted,

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